IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 8298 of 2005

Between:

1 Epuru Sekhar, S/o.Krishnamachary,
R/o.Mangalampadu village, Utchuru Post, Sullurpet

Mandal, Nellore Dist.
2 N.Muni Raju, S/o.Narayana Swamy,
R/o.Mangalampadu village, Utchuru Post, Sullurpet

Mandal, Nellore Dist.

..... PETITIONERS

AND

1 The District Collector, Nellore District.
2 The Mandal Revenue officer, Sullurpet Mandal,

Nellore District.
3 The Secretary, Gram Panchayat, Mangalampad

village, Sullurpet Mandal, Nellore District.

4 Dhagumati Pera Reddy, S/o.Veeraswamy Reddy, R/o.Mangalampad village, Utchuru post, Sullurpet

Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent No.4 for illegal occupation and construction of rice mill in Sy.No.14-1 admeasuring Ac.7-96 cents situated at Karanam Papaiahgari Gunta, Mangalampadu village, sullurpet, Mandal, Nellore District, belonging to Government land, as illegal, arbitrary, against principles of natural justice and consequently direct the respondents No.2 and 3 to stop the illegal construction of respondent No.4 rice mill at sy.no.14-1 admeasuring Ac.7-96 cents situated at Karanam papaiah Gunta Mangalampadu village, Sullurpet Mandal, Nellore District and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.BUCHI BABU

Counsel for the Respondent No.1 and 2: GP FOR REVENUE

Counsel for the respondent No.4: Mr V.Sudhakar Reddy

The Court made the following :

O R D E R (Per Hon'ble Mr. Justice Bilal Nazki, HACJ)

The grievance of the petitioners is that the 4th respondent has constructed a rise mill in a Government land. The official respondents 1to 3 filed counter and submitted that as soon as the Revenue Divisional Officer came to know about the 4th respondent's attempt to construct a rice mill, steps were taken to stop the 4th respondent from

making any construction. It is accepted by the official respondents that the land in which the 4th respondent had attempted to make the construction, belongs to Government.

2. The counsel for the 4th respondent however submits that the land belongs to Gram Panchayat and the 4th respondent had been granted permission.

3. Controversy between the respondents 1 to 3 on the one hand the 4th respondent on the other, can be settled in an appropriate proceedings, if the 4th respondent feels aggrieved by the action of respondents 1 to 3 in restraining him from making the constructions. As such the writ petition is disposed of. No costs.

BILAL NAZKI, HACJ

G.CHANDRAIAH,J

AVS

DATE:22.06.2005

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Nellore District.
2 The Mandal Revenue officer, Sullurpet Mandal,

Nellore District.
3 The Secretary, Gram Panchayat, Mangalampad

village, Sullurpet Mandal, Nellore District.
4**. 2 CCs to** G.P. for Revenue, A.P. High Court Building (OUT).

5) 2 CD copies

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